

A RESOLUTION RATIFYING  
AND APPROVING RESOLUTION  
80-146-11 OF THE FORT  
WAYNE BOARD OF PUBLIC  
WORKS

WHEREAS, the Board of Works desires to acquire certain lands in the City of Fort Wayne for the purpose of flood control and the eventual use of parts thereof for a public park to be known as Headwaters Park located within the City of Fort Wayne; and

WHEREAS, the Board of Works has entered into an Intergovernmental Agreement with the Fort Wayne Redevelopment Commission, thereby appointing the Redevelopment Commission as the Board's agent for the negotiation for and purchase of such real estate, relocation, environmental remediation, demolition, and other functions in aid of acquisition; and

WHEREAS, pursuant to said Intergovernmental Agreement, the Redevelopment Commission has made a recommendation to the Board of Works for the acquisition of seven (7) parcels of real estate; and

WHEREAS, the Board of Works has adopted Resolution 80-146-11 which approves the acquisition of said seven (7) parcels, establishes the maximum offering price as the average of two appraisals, and provides for relocation procedures and payments in accordance with Indiana Code; and

WHEREAS, pursuant to Indiana Code 36-1-10.5-5 et seq., the Redevelopment Commission may not proceed with the acquisition process on behalf of the Board of Works until the approval of Resolution 80-146-11 by this Common Council; and

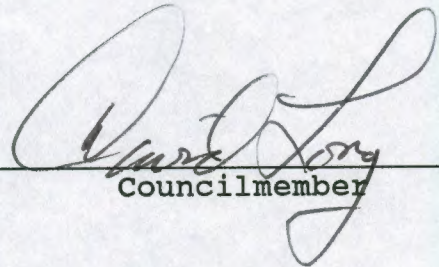
WHEREAS, this Common Council has reviewed said Resolution and desires to approve same.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

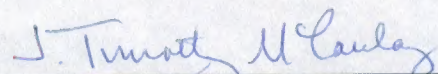


SECTION 1. Resolution 80-146-11 of the Fort Wayne Board of Public Works, attached hereto as "Exhibit A", is hereby approved, ratified, and confirmed.

SECTION 2. This Resolution shall be in full force and effect from and after its passage and approval by the Mayor.

  
Councilmember

APPROVED AS TO FORM  
AND LEGALITY

  
J. Timothy McCaulay, City Attorney

FOUR STAR BOND  
SOUTHWORTH CO. U.S.A.  
35% COTTON FIBER





## Fort Wayne Redevelopment Commission

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TO: Members of City Council  
FROM: Ron Fletcher, Executive Director *R.F.*  
DATE: April 27, 1993  
SUBJECT: Headwaters Park - Approval of Board of Works Resolution

### BACKGROUND

*2-93-04-24*

The goal of the Headwaters Flood Control and Park project is to clear structures and hard surface area from a portion of the St. Mary's floodplain and to construct an urban park. The floodplain will thus be restored to a natural condition, recurrent flood damage will be eliminated, and an economically marginal area will become an attractive and functional park. It is hoped that Phase I of the project, comprising the land west of Clinton Street and north of the National Guard Armory, can be completed in time for the City's bicentennial.

The public sector's role in this project is to provide a clear site for privately-funded park development. Site preparation will include land acquisition, business relocation, environmental abatement, and demolition. The money to accomplish this has just recently become available: \$500,000 from the State Build Indiana Fund; \$200,000 from the Maumee River Basin Commission; and \$100,000 from the Redevelopment Commission.

The most efficient and appropriate means for the public sector to carry out its part of the project is to combine the eminent domain powers of the Board of Works with the land acquisition expertise of the Redevelopment Commission. Accordingly, these two agencies have entered into an intergovernmental agreement, by which the Redevelopment Commission has been appointed as the agent for the Board of Works. The Commission has recommended seven (7) parcels for acquisition.

### HIGHLIGHTS OF THE PROPOSED RESOLUTION

The proposed resolution approves Board of Works Resolution 80-146-11, which was adopted pursuant to the Board's agreement with the Redevelopment Commission. The Board of Works resolution identifies seven (7) parcels of real estate for acquisition, establishes the maximum offering price as the average of two appraisals, and provides that relocation procedures and expenses shall comply with Indiana Code.

One Main Street, Rm 840 City-County Building  
Fort Wayne, Indiana 46802  
Telephone: 219-427-1127  
Fax: 219-427-1375

**RECOMMENDATION**

I recommend that the Council adopt the attached resolution approving the Board of Works resolution. Passage will enable the Redevelopment Commission to proceed with the acquisition of the land, and permit the project to remain on schedule.

DIGEST SHEET

Resolution  
TITLE OF ~~ORDINANCE~~ Approving acquisition list and offering price for Headwaters Park

Resolution  
DEPARTMENT REQUESTING ~~ORDINANCE~~ Board of Works & Redevelopment Commission

SYNOPSIS OF ~~ORDINANCE~~ Resolution approving Board of Works Resolution 80-146-11

which:

Identifies the seven (7) parcels to be acquired;

Establishes maximum offering price as the average

of two appraisals; and

Provides for relocation procedures and expenses in

accordance with Indiana Code.

EFFECT OF PASSAGE Redevelopment Commission, as agent for the Board of Works, may  
proceed with acquisition. Project remains on schedule.

EFFECT OF NON-PASSAGE Redevelopment Commission may not proceed with acquisition  
in accordance with its agreement with the Board of Works

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) Project cost is funded as follows:

\$500,000 Build Indiana Fund; \$200,000 Maumee River Basin Commission; \$100,000 Redevelopmen

ASSIGNED TO COMMITTEE (PRESIDENT) \_\_\_\_\_

This is a detailed plat map of a subdivision in St. Marys, Ohio. The map shows a grid of lots, with some lots shaded and labeled "SUB. 1" and "SUB. 2". The streets shown include Calhoun St., Marys St., Elizabeth St., and Harrison St. A railroad line runs along the top of the map. A large lot is shaded and labeled "SUB. 1" and "SUB. 2". The map also shows a "FOOTBRIDGE TO C. & N.Y." and a "SUBDIVISION" area. The map includes lot numbers, street names, and a railroad line. A large lot is shaded and labeled "SUB. 1" and "SUB. 2".

## BOARD OF PUBLIC WORKS

RESOLUTION NUMBER 80-146-11

## RESOLUTION ESTABLISHING REAL ESTATE ACQUISITION AMOUNT FOR THE AREA TO BE KNOWN AS HEADWATERS PARK

Whereas, the Board of Public Works desires to acquire certain lands in the City of Fort Wane for the purpose of flood control and the eventual use of parts thereof for a public park to be known as headwaters Park located within the City of Fort Wayne, and

Whereas, the Board of Public Works is the purchasing agent pursuant to I.C. 36-1-1.5-3 for the purpose of effecting said acquisition, and

Whereas, the Board of Public Works has employed the Redevelopment Commission as its agent in the negotiation for and purchase of such real estate, environmental remediation, demolition and relocation or other functions in aid of acquisition, and

Whereas, the Redevelopment Commission in "phase I" has identified seven (7) real estate parcels for acquisition, and

Whereas, the City of Fort Wayne through its Redevelopment Commission has retained two independent state licensed and MAI appraisers for the purpose of obtaining market value of the identified seven parcels of real estate, and

Whereas, the Redevelopment Commission recommends that the maximum offering price for each real estate parcel be established as the average of the two appraisals, and

Whereas, the Redevelopment Commission recommends that the Board of Works accept state relocation regulations, I.C. 8-23-17, and agree that relocation costs paid for said acquisition shall comply with such regulations.

Now, Therefore, Be It Resolved by the Board of Public Works that:

1. The maximum offering price for each parcel is hereby established as the average of the two appraisals.

2. The state relocation regulations are hereby accepted and the relocation costs paid for said acquisition shall comply with such regulations.

3. The seven (7) parcels are hereby attached as Exhibit A and made a part of this resolution.

Resolved This 21 April 1993

BOARD OF PUBLIC WORKS

BY:

Charles E. Layton  
Director of Public Works

By:

C. James Owen, Member

By:

Katherine A. Carrier, Member

ATTEST:

Patricia J. Crick  
Patricia J. Crick, Clerk

**Exhibit A**

**Parcel 1**

Key Number: 91-2949-0008

Owner: Roberts, Cecel M. & Marcelline M.  
11503 Wexsford Drive  
Fort Wayne, Indiana 46804

Mr. and Mrs. Steven Hobbs (on contract)  
together with Wesley Stewart

Description: N 107' FRL of E 200' of Lot 2, excluding W 60' of E 88.8' of S 6', Eliza Hanna Senior's Subdivision of Jail Flats

**Parcel 2**

Key Number: 91-2949-0013

Owner: Vaughn, Kenneth F., Jr. & Sarah A.  
5208 Wyndemere Court  
Fort Wayne, Indiana 46835

Description: W 60' of E 88.8' of S 6' of N 107' FRL of E 200', Lot 2 of Eliza Hanna Senior's Subdivision of Jail Flats

**Parcel 3**

Key Number: 91-2949-0002

Owner: Miller, Orvel L.  
131 South Calhoun Street  
Fort Wayne, Indiana 46802

Description: Lot 2, excluding S 75' of E 200' and excluding N 107' of E 200', and street, Eliza Hanna Senior's Subdivision of Jail Flats

**Parcel 4**

Key Number: 91-2949-0007

Owner: McCulloch, Robert F. & E. Ruth c/o Mary Lou Sutton  
2910 Santa Rosa Drive  
Fort Wayne, Indiana 46805

Description: S 75' of E 200' Lot 2, Eliza Hanna Senior's Subdivision of Jail Flats Addition

**Parcel 6**

Key Number: 91-2949-0011

Owner: Poinsette, William J. & Hilda M.  
1900 Randalia Drive 3-A (address invalid)  
Fort Wayne, Indiana 46805

Description: N 75' of W 175', Lot 6 of Eliza Hanna Senior's Subdivision of Jail Flats



**Parcel 7**

Key Number: 91-2949-0010

Owner: Moore, Russell R. & V. Allene  
1121 West Coliseum Boulevard  
Fort Wayne, Indiana 46808

William E. Boussum on contract

Description: N 75' of E 190', Lot 6 of Eliza Hanna Senior's  
Subdivision of Jail Flats Addition

**Parcel 11**

Key Number: 92-2948-0779

Owner: Burris, Arthur R. & Mildred M.  
4004 Crawford Road  
Fort Wayne, Indiana 46845

Description: 50' N of the S 230', Lot 578 Hanna's Addition

Read the first time in full and on motion by Parone, seconded by \_\_\_\_\_, and duly adopted, read the second time by title and referred to the Committee on Legislation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_, day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATED: 5-4-93

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Parone, seconded by \_\_\_\_\_, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
TOTAL VOTES	<u>7</u>			<u>2</u>
BRADBURY				<u>1</u>
EDMONDS	<u>1</u>			
GiaQUINTA	<u>1</u>			
HENRY	<u>1</u>			
LONG				<u>1</u>
LUNSEY	<u>1</u>			
RAVINE	<u>1</u>			
SCHMIDT	<u>1</u>			
TALARICO	<u>1</u>			

DATED: 5-11-93

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)

(SPECIAL)

(ZONING)

ORDINANCE

RESOLUTION NO.

07-25-93

on the 11th day of May, 1993

ATTEST:

(SEAL)

Sandra E. Kennedy

SANDRA E. KENNEDY, CITY CLERK

Mark C. GiaQuinta

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of May, 1993, at the hour of 11:30 o'clock A, M., E.S.T.

Sandra E. Kennedy

SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 14th day of May, 1993, at the hour of 11:00 o'clock P M., E.S.T.

PAUL HELMKE

PAUL HELMKE, MAYOR



BILL NO. R-93-04-24

REPORT OF THE COMMITTEE ON  
REGULATIONS *Committee of the Whole*

DAVID C. LONG & REBECCA J. RAVINE - CO-CHAIRPERSONS  
LUNSEY, SCHMIDT

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS

REFERRED AN (~~ORDINANCE~~) (RESOLUTION) RATIFYING AND  
APPROVING RESOLUTION 80-146-11 OF THE FORT WAYNE BOARD OF PUBLIC  
WORKS

HAVE HAD SAID (~~ORDINANCE~~) (RESOLUTION) UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
(~~ORDINANCE~~) (RESOLUTION) \_\_\_\_\_

<u>DO PASS</u>	<u>DO NOT PASS</u>	<u>ABSTAIN</u>	<u>NO REC</u>
<i>Rebecca Ravine</i>	_____	_____	_____
<i>Sam Talavage</i>	_____	_____	_____
<i>Mark C. Long</i>	_____	_____	_____
<i>William Lunsey</i>	_____	_____	_____
<i>DD Schmidt</i>	_____	_____	_____
<i>Sharon P. Henry</i>	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

DATED: 5-11-93

Sandra E. Kennedy  
City Clerk